

AMENDED IN ASSEMBLY AUGUST 15, 2012

AMENDED IN SENATE APRIL 25, 2011

SENATE BILL

No. 533

Introduced by ~~Senators Wright and Correa~~ Senator Wright
(Principal coauthor: Assembly Member Bradford)
(Coauthor: Assembly Member Bill Berryhill)

February 17, 2011

~~An act to amend Section 38505 of, and to add Section 38566 to, the Health and Safety Code, relating to air pollution. An act relating to the Inglewood Unified School District, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 533, as amended, Wright. ~~California Global Warming Solutions Act of 2006: State Air Resources Board regulations. Inglewood Unified School District: emergency loan.~~

(1) Existing law provides for emergency apportionments to school districts subject to specified conditions, including, in certain circumstances, the repayment of an emergency loan over a period of no more than 20 years and the appointment by the Superintendent of Public Instruction of an administrator who would exercise the powers and responsibilities of the governing board of the school district.

This bill would express the intent of the Legislature to provide emergency apportionment assistance to the Inglewood Unified School District, and require the Superintendent to assume all the rights, duties, and powers of the governing board of the Inglewood Unified School District and to appoint, in consultation with the Los Angeles County Superintendent of Schools, a state administrator to act on behalf of the

Superintendent in exercising the Superintendent's authority over the school district.

The bill would continue the authority of the Superintendent and the state administrator over the Inglewood Unified School District until certain enumerated conditions are met, including the completion of assessment and improvement plans for the school district.

The bill would require the County Office Fiscal Crisis and Management Assistance Team (FCMAT) to provide specified assistance relating to the development of a multiyear financial recovery plan, the preparation of budget reports, and the recommendation of activities that could enhance revenue or achieve cost savings.

The bill would require the Inglewood Unified School District to bear 100% of the costs associated with implementing the provisions of the bill relating to the administration of the emergency apportionment assistance and the activities of the FCMAT, thereby imposing a state-mandated local program.

The bill would appropriate up to \$29,000,000 from the General Fund to the Superintendent for apportionment as an emergency loan to the Inglewood Unified School District, and would specify procedures for repayment of the loan. The bill would authorize the school district to augment the emergency loan with an additional \$26,000,000 of lease financing, as provided. The bill would authorize the school district to sell property owned by the school district from September 1, 2012, to June 30, 2015, inclusive, and use the proceeds from the sale to reduce or retire the emergency loan, and would prohibit the school district from being eligible for financial hardship assistance under the Leroy F. Greene School Facilities Act of 1998 from June 1, 2012, to June 30, 2015, inclusive.

(2) This bill would make legislative findings and declarations that the unique circumstances of the Inglewood Unified School District warrant the enactment of a special statute.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases.~~

~~The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emission reductions.~~

~~This bill would require the state board to make available to the public, at the time that the state board adopts a regulation pursuant to the act, any implementation schedule that is required to comply with that regulation. If a regulation adopted by the state board specifically requires a reporting form or a compliance tool, as defined, the state board would be required to make this information available to the public on the state board's Internet Web site at least 60 days prior to the date the information is required for compliance with the regulation. The bill would require training specifically required by a regulation to be made available at least 60 days prior to the compliance date for which the training is required. The bill would authorize the state board to revise a required implementation schedule, reporting form, or compliance tool after adoption of a regulation, if the state board makes a specified modification.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (a) *Providing a quality education that meets the unique needs*
- 4 *of the pupils of the Inglewood Unified School District is a*
- 5 *fundamental goal that should not be jeopardized.*
- 6 (b) *On April 12, 2012, the Los Angeles County Office of*
- 7 *Education notified the Inglewood Unified School District of its*
- 8 *budget negative certification. Negative certification is assigned*
- 9 *when a school district will be unable to meet its financial*
- 10 *obligations for the remainder of the fiscal year or the subsequent*
- 11 *fiscal year. In December 2010 the Los Angeles County Office of*
- 12 *Education assigned a fiscal advisor to monitor the operations of*
- 13 *the Inglewood Unified School District.*
- 14 (c) *The budget analysis conducted by the Los Angeles County*
- 15 *Office of Education indicates that the Inglewood Unified School*
- 16 *District is deficit spending, unable to maintain a prudent reserve*

1 *for economic uncertainty, will have a negative General Fund*
2 *balance for the 2012–13 fiscal year, and insufficient reserves for*
3 *the two subsequent fiscal years to meet all of its financial*
4 *obligations.*

5 *(d) The Inglewood Unified School District is facing fiscal and*
6 *cash insolvency as a result of organizational decisionmaking,*
7 *overstating average daily attendance, understating California*
8 *State Teachers' Retirement System payments, understating*
9 *certificated salary expenses, and continued deficit spending.*

10 *(e) The enrollment of the Inglewood Unified School District is*
11 *declining which further exacerbates its fiscal circumstances.*

12 *(f) The Inglewood Unified School District is projected to run*
13 *out of cash to support its routine operations and expenditures at*
14 *the end of March 2013, and it will require an emergency*
15 *appropriation from the state in order to continue the delivery of*
16 *educational services to pupils enrolled in the school district.*

17 *SEC. 2. It is the intent of the Legislature to provide emergency*
18 *appropriation assistance to the Inglewood Unified School District,*
19 *and invoke the provisions of Article 2 (commencing with Section*
20 *41320) of, and Article 2.5 (commencing with Section 41325) of,*
21 *Chapter 3 of Part 24 of Division 3 of Title 2 of the Education Code,*
22 *except as otherwise provided in this act, in order to restore the*
23 *school district to fiscal solvency.*

24 *SEC. 3. As provided in subdivision (b) of Section 41326 of the*
25 *Education Code, the Superintendent of Public Instruction shall*
26 *assume all legal rights, duties, and powers of the governing board*
27 *of the Inglewood Unified School District, and shall appoint a state*
28 *administrator, in consultation with the county superintendent of*
29 *schools, to act on his or her behalf in carrying out the requirements*
30 *of Article 2 (commencing with Section 41320) of, and Article 2.5*
31 *(commencing with Section 41325) of, Chapter 3 of Part 24 of*
32 *Division 3 of Title 2 of the Education Code. Notwithstanding*
33 *subdivision (e) of Section 41326 of the Education Code, the*
34 *authority of the Superintendent of Public Instruction and the state*
35 *administrator shall continue until all of the following occur:*

36 *(a) (1) At any time after one complete fiscal year has elapsed*
37 *following the school district's acceptance of a loan as described*
38 *in subdivision (a) of Section 41326 of the Education Code, the*
39 *state administrator determines, and so notifies the Superintendent*
40 *of Public Instruction and the county superintendent of schools,*

1 *that future compliance by the school district with the recovery*
2 *plans approved pursuant to subdivision (b) is probable.*

3 *(2) The Superintendent of Public Instruction may return power*
4 *to the governing board of the school district for any area listed in*
5 *subdivision (a) of Section 41327.1 of the Education Code, if*
6 *performance under the recovery plan for that area has been*
7 *demonstrated to the satisfaction of the Superintendent of Public*
8 *Instruction.*

9 *(b) The Superintendent of Public Instruction has approved all*
10 *of the recovery plans referred to in subdivision (a) of Section 41327*
11 *of the Education Code, and the County Office Fiscal Crisis and*
12 *Management Assistance Team completes the improvement plans*
13 *specified in Section 41327.1 of the Education Code and has*
14 *completed a minimum of two reports identifying the school*
15 *district's progress in implementing the improvement plans.*

16 *(c) The state administrator certifies that all necessary collective*
17 *bargaining agreements have been negotiated and ratified, and*
18 *that the agreements are consistent with the terms of the recovery*
19 *plans.*

20 *(d) The school district has completed all reports required by*
21 *the Superintendent of Public Instruction and the state*
22 *administrator.*

23 *(e) The state administrator certifies that the members of the*
24 *school board and school district personnel, as appropriate, have*
25 *successfully completed the training specified in subdivision (b) of*
26 *Section 7 of this act.*

27 *(f) The Superintendent of Public Instruction determines that*
28 *future compliance by the school district with the recovery plans*
29 *approved pursuant to subdivision (b) is probable.*

30 *SEC. 4. In addition to the implementation of subdivision (b)*
31 *of Section 41325 of the Education Code, it is the intent of the*
32 *Legislature that the Superintendent of Public Instruction, operating*
33 *through the appointed state administrator, do all of the following:*

34 *(a) Work with the staff and governing board of the Inglewood*
35 *Unified School District to identify the procedures and programs*
36 *that the school district will implement during the 2012–13 school*
37 *year and future school years that do all of the following:*

38 *(1) Significantly raise pupil achievement.*

39 *(2) Improve pupil attendance.*

40 *(3) Lower pupil dropout rate.*

1 (4) *Increase parental involvement.*

2 (5) *Attract, retain, and train a quality teaching staff.*

3 (6) *Manage fiscal expenditures in a manner that is consistent*
4 *with the current and projected revenues of the school district.*

5 (b) *Analyze the identified procedures and programs and, where*
6 *applicable and appropriate, protect, maintain, and expand them*
7 *as the budget of the school district allows. The state administrator*
8 *shall report any findings applicable to this section to the*
9 *Superintendent of Public Instruction and the education committees*
10 *of the Legislature.*

11 (c) *To the extent allowed by school district finances, maintain,*
12 *under the revised program, core educational reforms that will lead*
13 *to districtwide improvement of academic achievement, including,*
14 *but not necessarily limited to, educational reforms targeting*
15 *underperforming and program improvement schools and other*
16 *reforms that have demonstrated measurable success.*

17 SEC. 5. (a) *The County Office Fiscal Crisis and Management*
18 *Assistance Team (FCMAT), with concurrence from the*
19 *Superintendent of Public Instruction, shall, with respect to the*
20 *Inglewood Unified School District, do all of the following:*

21 (1) *Provide assistance to the state administrator in the*
22 *development of the first annual multiyear financial recovery plan*
23 *required under paragraph (2) of subdivision (a) of Section 41327*
24 *of the Education Code.*

25 (2) *Provide assistance to the state administrator in the*
26 *development of the adopted budget and interim reports.*

27 (3) *Recommend to the Superintendent of Public Instruction any*
28 *studies or activities that should be undertaken by the state*
29 *administrator to enhance revenue or achieve cost savings.*

30 (4) *Provide any other assistance as described in Section 42127.8*
31 *of the Education Code.*

32 (b) *The Inglewood Unified School District shall bear 100*
33 *percent of all costs associated with implementing Article 2.5*
34 *(commencing with Section 41325) of Chapter 3 of Part 24 of*
35 *Division 3 of Title 2 of the Education Code, including the activities*
36 *of the FCMAT. The FCMAT's assistance under this section shall*
37 *continue until the school district is certified as positive pursuant*
38 *to the definition in paragraph (1) of subdivision (a) of Section*
39 *42131 of the Education Code, or until all legal rights, duties, and*

1 powers are returned to the governing board of the school district,
2 whichever comes first.

3 SEC. 6. For purposes of Article 2 (commencing with Section
4 41320) of, and Article 2.5 (commencing with Section 41325) of,
5 Chapter 3 of Part 24 of Division 3 of Title 2 of the Education Code,
6 the state administrator of the Inglewood Unified School District
7 is a public school employer within the meaning of the Educational
8 Employment Relations Act (Chapter 10.7 (commencing with Section
9 3540) of Division 4 of Title 1 of the Government Code).

10 SEC. 7. (a) The Superintendent of Public Instruction, with
11 respect to the Inglewood Unified School District, may consider
12 the comprehensive assessment conducted by the County Office
13 Fiscal Crisis and Management Assistance Team (FCMAT)
14 pursuant to Section 41327.1 of the Education Code to meet the
15 requirements for the financial management review and recovery
16 plan identified in paragraph (1) of subdivision (a) of Section
17 41327.1 of the Education Code.

18 (b) The improvement plan for personnel management specified
19 in paragraph (3) of subdivision (a) of Section 41327.1 of the
20 Education Code shall include, but not necessarily be limited to,
21 the following training:

22 (1) Training for members of the governing board of the
23 Inglewood Unified School District in the subjects about which
24 members of the governing board need to have knowledge to
25 effectively discharge their duties as school board members, with
26 specific training in the fiduciary responsibilities of a governing
27 board member and in the financial management practices
28 necessary for governing board members to effectively discharge
29 their duty to oversee and monitor the budget, accounting practices,
30 revenues, and expenditures of the school district. At a minimum,
31 each school board member shall participate in the Masters In
32 Governance training provided by the California School Boards
33 Association. The cost for this training shall be borne by the school
34 district.

35 (2) Training for all personnel with management, policymaking,
36 and advisory responsibilities who report or would report directly
37 to the state administrator, to ensure they have the knowledge and
38 skills to effectively administer their areas of responsibility
39 consistent with sound fiscal practices and the budgetary
40 requirements of the school district.

1 (c) Notwithstanding the timelines in subdivision (d) of Section
2 41327.1 of the Education Code, after the first written status report,
3 FCMAT shall file subsequent reports annually thereafter as
4 determined by the Superintendent of Public Instruction.

5 SEC. 8. (a) The sum of up to twenty-nine million dollars
6 (\$29,000,000) is hereby appropriated from the General Fund to
7 the Superintendent of Public Instruction for apportionment to the
8 Inglewood Unified School District for the purpose of an emergency
9 loan. In order to qualify for the loan, the school district shall
10 comply with Article 2 (commencing with Section 41320) of, and
11 Article 2.5 (commencing with Section 41325) of, Chapter 3 of Part
12 24 of Division 3 of Title 2 of the Education Code to the extent those
13 provisions are consistent with the conditions specified in this act.

14 (b) Funds may be disbursed from the proceeds of the loan only
15 if the state administrator and the County Office Fiscal Crisis and
16 Management Assistance Team jointly determine that the
17 disbursement is necessary to support the immediate cashflow needs
18 of the school district.

19 (c) Based on the needs of the school district to meet its
20 obligations, the Superintendent of Public Instruction may direct
21 the Controller to disburse, on a monthly basis, specific amounts
22 of the emergency loan before the approval of all of the conditions
23 established by this act.

24 (d) For the fiscal year in which the apportionments are
25 disbursed and each year thereafter, the Controller, or his or her
26 designee, shall cause an audit in lieu of the audit required by
27 Section 41020 of the Education Code to be conducted of the books
28 and accounts of the school district. At the discretion of the
29 Controller, the audit may be conducted by the Controller, his or
30 her designee, or an auditor selected by the school district and
31 approved by the Controller. The costs of these audits shall be borne
32 by the school district. The audits shall be required until the
33 Controller determines, in consultation with the Superintendent of
34 Public Instruction, that the school district is financially solvent,
35 but in no event earlier than one year following the implementation
36 of the plan or later than the time the apportionment made is repaid,
37 including interest.

38 SEC. 9. (a) The Inglewood Unified School District shall repay
39 the emergency loan incurred pursuant to Section 8 of this act as
40 a straight line loan amortized over a 20-year term. This amount

1 shall be repaid by the school district, plus interest calculated at a
2 rate equal to the rate earned by the Pooled Money Investment
3 Account on the date this act becomes effective, for a period not to
4 exceed 20 years.

5 (b) If a required payment is not made within 60 days after a
6 scheduled date, the Controller shall pay the defaulted loan payment
7 of principal and interest by withholding that amount from the next
8 available payment that would otherwise be made to the county
9 treasurer on behalf of the school district pursuant to Section 14041
10 of the Education Code. However, subject to the approval of the
11 Department of Finance, the amount withheld may be in monthly
12 amounts as determined by an agreement between the Inglewood
13 Unified School District and the Controller during the period
14 beginning with the next available apportionment through the month
15 preceding the next scheduled payment.

16 (c) The Director of Finance may amend the payment schedule
17 set forth in subdivision (a) if the director concludes that the
18 amendment is warranted and is in the best interests of both the
19 state and the Inglewood Unified School District education
20 program. Upon that determination, the director shall notify the
21 Joint Legislative Budget Committee that the payment schedule will
22 be changed on the date that is 90 days from the date of notification
23 if the Legislature is in session. If the 90-day period ends during a
24 recess of the Legislature or while the Legislature is not in session,
25 the 90-day period shall be extended until the Legislature
26 reconvenes. Amendments to the payment schedule shall defer the
27 unpaid portion of a repayment of the earliest fiscal year in which
28 no other repayment is scheduled. Interest shall accrue on the
29 unpaid portion of a repayment from the scheduled due date until
30 the time the payment is actually made. The interest charge shall
31 be the rate equal to the daily investment rate of the Pooled Money
32 Investment Account on the date the pay schedule is changed.

33 (d) The school district may repay its loan obligation without
34 incurring any prepayment penalties.

35 SEC. 10. The Inglewood Unified School District shall enter
36 into a lease financing with the California Infrastructure and
37 Economic Development Bank pursuant to Section 41329.52 of the
38 Education Code for the purpose of financing the emergency
39 apportionment, including a repayment to the General Fund of the
40 amount advanced pursuant to Section 8 of this act. In addition to

1 *the amount advanced pursuant to Section 8 of this act, the school*
2 *district may augment the emergency loan with an additional*
3 *twenty-six million dollars (\$26,000,000) of lease financing in order*
4 *to increase the emergency loan to a total of no more than fifty-five*
5 *million dollars (\$55,000,000) and, as a result, increase the amount*
6 *of lease financing by the bank in accordance with subdivision (c)*
7 *of Section 41329.52 of the Education Code.*

8 *SEC. 11. (a) Notwithstanding Sections 17456, 17457, 17462,*
9 *and 17463 of the Education Code, or any other law, from*
10 *September 1, 2012, to June 30, 2015, inclusive, the Inglewood*
11 *Unified School District may sell property owned by the school*
12 *district and use the proceeds from the sale to reduce or retire the*
13 *emergency loan provided in Section 8 of this act. The sale only of*
14 *property pursuant to this subdivision is not subject to Section*
15 *17459 or 17464 of the Education Code.*

16 *(b) Notwithstanding any other law, from June 1, 2012, to June*
17 *30, 2015, inclusive, the Inglewood Unified School District is not*
18 *eligible for financial hardship assistance pursuant to Article 8*
19 *(commencing with Section 17075.10) of Chapter 12.5 of Part 10*
20 *of Division 1 of Title 1 of the Education Code.*

21 *SEC. 12. The Los Angeles County Superintendent of Schools*
22 *maintains the responsibility to superintend school districts under*
23 *his or her jurisdiction. This act does not remove any statutory or*
24 *regulatory rights, duties, or obligations from the county*
25 *superintendent of schools.*

26 *SEC. 13. The Legislature finds and declares that, due to unique*
27 *circumstances relating to the fiscal emergency in the Inglewood*
28 *Unified School District, a general statute cannot be made*
29 *applicable within the meaning of Section 16 of Article IV of the*
30 *California Constitution.*

31 *SEC. 14. No reimbursement is required by this act pursuant*
32 *to Section 6 of Article XIII B of the California Constitution because*
33 *the only costs that may be incurred by a local agency or school*
34 *district are the result of a program for which legislative authority*
35 *was requested by that local agency or school district, within the*
36 *meaning of Section 17556 of the Government Code and Section 6*
37 *of Article XIII B of the California Constitution.*

38 ~~*SECTION 1. Section 38505 of the Health and Safety Code is*~~
39 ~~*amended to read:*~~

1 38505. For the purposes of this division, the following terms
2 have the following meanings:

3 (a) ~~“Allowance” means an authorization to emit, during a~~
4 ~~specified year, up to one ton of carbon dioxide equivalent.~~

5 (b) ~~“Alternative compliance mechanism” means an action~~
6 ~~undertaken by a greenhouse gas emission source that achieves the~~
7 ~~equivalent reduction of greenhouse gas emissions over the same~~
8 ~~time period as a direct emission reduction, and that is approved~~
9 ~~by the state board. “Alternative compliance mechanism” includes,~~
10 ~~but is not limited to, a flexible compliance schedule, alternative~~
11 ~~control technology, a process change, or a product substitution.~~

12 (c) ~~“Carbon dioxide equivalent” means the amount of carbon~~
13 ~~dioxide by weight that would produce the same global warming~~
14 ~~impact as a given weight of another greenhouse gas, based on the~~
15 ~~best available science, including from the Intergovernmental Panel~~
16 ~~on Climate Change.~~

17 (d) ~~“Compliance tool” means any of the following items~~
18 ~~specified in a regulation for compliance: (1) computer models, (2)~~
19 ~~databases, (3) algorithms, (4) formulas, (5) forms, (6) software,~~
20 ~~(7) labels, (8) protocols, and (9) data required for compliance.~~

21 (e) ~~“Cost-effective” or “cost-effectiveness” means the cost per~~
22 ~~unit of reduced emissions of greenhouse gases adjusted for its~~
23 ~~global warming potential.~~

24 (f) ~~“Direct emission reduction” means a greenhouse gas emission~~
25 ~~reduction action made by a greenhouse gas emission source at that~~
26 ~~source.~~

27 (g) ~~“Emissions reduction measure” means a program, measure,~~
28 ~~standard, or alternative compliance mechanism authorized pursuant~~
29 ~~to this division, applicable to sources or categories of sources, that~~
30 ~~is designed to reduce emissions of greenhouse gases.~~

31 (h) ~~“Greenhouse gas” or “greenhouse gases” includes all of the~~
32 ~~following gases:~~

33 ~~(1) Carbon dioxide.~~

34 ~~(2) Methane.~~

35 ~~(3) Nitrous oxide.~~

36 ~~(4) Hydrofluorocarbons.~~

37 ~~(5) Perfluorocarbons.~~

38 ~~(6) Sulfur hexafluoride.~~

39 ~~(7) Nitrogen trifluoride.~~

(i) ~~“Greenhouse gas emissions limit” means an authorization, during a specified year, to emit up to a level of greenhouse gases specified by the state board, expressed in tons of carbon dioxide equivalents.~~

(j) ~~“Greenhouse gas emission source” or “source” means any source, or category of sources, of greenhouse gas emissions whose emissions are at a level of significance, as determined by the state board, that its participation in the program established under this division will enable the state board to effectively reduce greenhouse gas emissions and monitor compliance with the statewide greenhouse gas emissions limit.~~

(k) ~~“Leakage” means a reduction in emissions of greenhouse gases within the state that is offset by an increase in emissions of greenhouse gases outside the state.~~

(l) ~~“Market-based compliance mechanism” means either of the following:~~

(1) ~~A system of market-based declining annual aggregate emissions limitations for sources or categories of sources that emit greenhouse gases.~~

(2) ~~Greenhouse gas emissions exchanges, banking, credits, and other transactions, governed by rules and protocols established by the state board, that result in the same greenhouse gas emission reduction, over the same time period, as direct compliance with a greenhouse gas emission limit or emission reduction measure adopted by the state board pursuant to this division.~~

(m) ~~“State board” means the State Air Resources Board.~~

(n) ~~“Statewide greenhouse gas emissions” means the total annual emissions of greenhouse gases in the state, including all emissions of greenhouse gases from the generation of electricity delivered to and consumed in California, accounting for transmission and distribution line losses, whether the electricity is generated in state or imported. Statewide emissions shall be expressed in tons of carbon dioxide equivalents.~~

(o) ~~“Statewide greenhouse gas emissions limit” or “statewide emissions limit” means the maximum allowable level of statewide greenhouse gas emissions in 2020, as determined by the state board pursuant to Part 3 (commencing with Section 38550).~~

SEC. 2. ~~Section 38566 is added to the Health and Safety Code, to read:~~

1 ~~38566. (a) (1) The state board shall make available to the~~
2 ~~public, at the time the state board adopts a regulation pursuant to~~
3 ~~this division, any implementation schedule that is required to~~
4 ~~comply with the regulation.~~

5 ~~(2) If a regulation adopted pursuant to this division specifically~~
6 ~~requires a reporting form or compliance tool, the state board shall~~
7 ~~make the required reporting form or compliance tool available to~~
8 ~~the public on the state board's Internet Web site at least 60 days~~
9 ~~prior to the date on which the reporting form or compliance tool~~
10 ~~is required for compliance with the regulation.~~

11 ~~(3) Training specifically required by a regulation adopted~~
12 ~~pursuant to this division shall be made available at least 60 days~~
13 ~~prior to the compliance date for which the training is required.~~

14 ~~(b) The state board may revise an implementation schedule,~~
15 ~~reporting form, or compliance tool required to be made available~~
16 ~~to the public pursuant to subdivision (a) after it adopts a regulation,~~
17 ~~if the state board modifies the compliance deadline for the revised~~
18 ~~regulatory requirement to allow regulated entities at least 60 days~~
19 ~~to comply.~~

20 ~~(c) This section does not excuse compliance from a regulation~~
21 ~~adopted before January 1, 2012, that does not meet the~~
22 ~~requirements of subdivision (a), or require the state board to~~
23 ~~readopt or amend a regulation approved by the state board before~~
24 ~~January 1, 2012.~~